

DEPARTMENT OF TRANSPORTATION

Amendments to Chapter 19-133.2
Hawaii Administrative Rules

December 27, 1993

SUMMARY

1. §19-133.2-3 is amended.
2. §19-133.2-15 is amended.
3. §19-133.2-22 is amended.
4. §19-133.2-23 is amended.
5. §19-133.2-25 is amended.
6. §19-133.2-28 is amended.
7. §19-133.2-34 is amended.

§19-133.2-3 Inspection and certification of vehicles. (a) The following specific classes of vehicles shall be inspected and certified once every six months:

- (1) All ambulances;
- (2) All buses;
- (3) Taxicabs;
- (4) All rental or U-drive vehicles one year of age or older; and
- (5) Trucks, truck-tractors, trailers, semitrailers, and pole trailers having a gross vehicle weight rating of more than ten thousand pounds;

(b) All other vehicles, including motorcycles, trailers, semi-trailers, and pole trailers having a GVWR of 10,000 pounds or less shall be inspected and certified every twelve months. [Eff 7/31/89; am MAR 31 1994] (Auth: HRS §§286-18, 26) (Imp: HRS §286-26)

§19-133.2-15 Inspection records. (a) A vehicle certificate of inspection shall be completed by a certified inspector for each vehicle inspected.

(b) The inspection station operator shall insure that copies of the completed certificate of inspection are distributed as indicated by printed markings thereon:

- (1) One copy shall be sent to the DOT;
- (2) One copy shall be retained by the inspection station for a period of at least one year;
- (3) One copy shall be given to the vehicle owner for vehicle registration purposes; and
- (4) One copy shall be given to the vehicle owner to be retained in the vehicle at all times.

(c) Every inspection station operator shall provide a summary report of vehicle inspections conducted. The summary reports shall be required once each month and submitted to the DOT by the fifteenth day of the month next following the date on which the inspections were conducted. [Eff 7/31/89; am MAR 31 1994]
] (Auth: HRS §§286-17, 26, 291-21.5) (Imp: HRS §§286-16, 27, 291-21.5)

§19-133.2-22 Inspection fees. (a) The director shall determine the fee to be paid to the inspection station by the vehicle owner for the inspection of a vehicle. This fee shall include the sticker, administrative, and enforcement fees paid to the DOT by the inspection station operator.

(b) When an application for certification of inspection is made at an inspection station, an inspector may first collect the inspection fee, then conduct the inspection pursuant to this chapter using a blank certificate of inspection as a checklist to perform the inspection.

(c) An inspector may require an additional fee, determined by the director, for the reinspection of corrected defects when the vehicle is presented for certification more than ten days after failure of the applicant's vehicle to qualify on the initial inspection.

(d) If more than thirty days have elapsed since the applicant's vehicle failed to qualify for certification, a complete reinspection shall be made of the entire vehicle.

(e) An inspection station may charge a fee determined by the director for the replacement of destroyed, stolen, or lost inspection stickers.

(f) An inspection station may charge for the inspection, when required, of sunscreening devices affixed to the glazing materials. The fee shall be determined by the director.

(g) An inspector may charge the following inspection fees:

(1) Automobiles and trucks - not more than \$14.70;

(2) Motorcycles and trailers - not more than \$8.75;

(A) The director shall collect from the operator of an official inspection station the sum of 50 cents from the above charged fees. Twenty-five cents of this 50 cents shall be for the left one-half of the sticker, designating the month of expiration of the inspection certificate, and 25 cents of this 50 cents shall be for the right one-half of

- the sticker designating the year of expiration of the inspection certificate;
- (B) The director shall, in addition, collect from the operator of an official inspection station the sum of \$1 from the above charged fees which shall be expended for administrative and enforcement purposes only;
- (3) A fee of not more than \$5 may be charged by the operator of an official inspection station for reinspection of corrected defects when the vehicle is presented for certification more than ten days (thirty days for a registration defect) after failure to qualify on the initial inspection;
- (4) A fee of not more than \$5 may be charged by the operator of an inspection station for replacement of destroyed, stolen, or lost inspection stickers; and
- (5) A fee of not more than \$5 may be charged for testing of light transmittance, with a window light transmittance meter, of sun screening devices affixed to the glazing materials of a vehicle. [Eff 7/31/89; am MAR 31 1994]
(Auth: HRS §§286-18, 26) (Imp: HRS §§286-16, 26)

§19-133.2-23 Failure to qualify for certification and correction of defects. (a) When a vehicle fails to pass an inspection for certification in accordance with this chapter, the certificate of inspection shall not be signed and the authorized sticker shall not be affixed to the vehicle.

(b) The blue copy of the incomplete certificate of inspection, signed by the inspector with the inspector number just above the certification box, shall be given to the applicant after the inspection, so that corrective repairs may be done on the vehicle. When, upon reinspection, the vehicle is found to qualify for certification, the certificate of inspection shall be completed and a sticker affixed to the vehicle in accordance with this chapter.

(c) If the applicant refuses to have the corrective repairs done immediately, the applicant shall have ten days (thirty days for a registration defect) to have the deficiencies corrected and returned to the station for reinspection.

(d) If, after corrective repair within the ten day period, the vehicle is found to qualify for certification, the certificate of inspection shall be completed by the inspector and issued to the applicant and a sticker affixed to the vehicle in accordance with this chapter. No additional fee shall be charged.

(e) This section does not authorize anyone to operate a vehicle on the public highways without a valid certificate of inspection or with an expired certificate.

(f) If no certificate of inspection is issued, a notation to that effect shall be made on all copies of the incomplete certificate. All copies of the incomplete certificate held by the inspection station, except the station copy, shall be forwarded to the DOT at the end of the month following the month the vehicle was rejected. [Eff 7/31/89; am MAR 31 1994]
(Auth: HRS §§286-18, 26) (Imp: HRS §§286-16, 26)

§19-133.2-25 Replacement of lost, stolen, or destroyed stickers. (a) Inspection stickers which have been lost, stolen, or destroyed shall be replaced without reinspection by the inspection station that issued the original inspection sticker upon presentation of the vehicle's current certificate of inspection provided that the current certificate of inspection and inspection sticker shall not have expired at the time replacement is requested.

(b) Reinspection shall be required if there is no evidence of a current inspection and issuance of a certificate of inspection.

(c) The inspector shall record the serial numbers of the inspection sticker replacements on the original copies of the inspection station and vehicle owner's certificate of inspection and report the additional information to the DOT.

(d) Any changes recorded on the original copies of the inspection station and vehicle owner's certificate of inspection shall also display the inspector's initials, inspector's control number, and date the changes were made. [Eff 7/31/89; am MAR 31 1994] (Auth: HRS §§286-18, 26) (Imp: HRS §§286-16, 26)

§19-133.2-28 Inspection of steering and suspension systems. (a) The steering and suspension systems shall be inspected for excessive play, binding, damages, worn parts, wheel bearing looseness, and missing components.

(b) No certificate of inspection shall be issued if any of the following occurs:

- (1) There is excessive steering wheel free play;
- (2) The steering wheel binds or locks-up when turning;
- (3) The steering linkages or tie rod ends are worn beyond manufacturer's specifications;
- (4) The steering linkages are damaged;
- (5) Suspension system components are excessively worn, missing, broken, or out of proper adjustment. Slight dampness on shock absorber cylinder or lower tube is not a cause for rejection;
- (6) Suspension system attachments or mounting bolts are damaged, excessively worn, improperly installed, or of the wrong type or size; or
- (7) Adjustable wheel bearings are not properly adjusted and secured. [Eff 7/31/89; am MAR 31 1994] (Auth: HRS §§286-18, 26) (Imp: HRS §§286-16, 26)

§19-133.2-34 Inspection of glazing materials.

(a) Vehicle glazing materials (windshield and window glass or other materials) shall be inspected as follows:

- (1) Glass, plastic, or other material used in windshields and windows shall be inspected for type, damage, discoloration, obstruction, and tinting;
- (2) The window adjacent to the driver shall be inspected for operability;
- (3) Any sun screening device installed on the glazing material shall be inspected visually and with a certified window light transmittance meter for conformance with the minimum light transmittance requirements under section 291-21.5, HRS.

(b) No certificate of inspection shall be issued if any of the following occurs:

- (1) Glazing materials required by law or rules are not present in specified locations;
- (2) Glazing materials installed on a vehicle do not comply with the standards set forth in:
 - (A) Title 49, Chapter V, Part 571, subpart 205, section 571.205 of the Code of Federal Regulations as it existed on October 1, 1991;
 - (B) American National Standard, Z26.1-1977, approved January 26, 1977 and supplemented by Z26.1a-1980, approved July 3, 1980; or
 - (C) Society of Automotive Engineers Handbook, section J1203, as this publication existed on February 11, 1993;
- (3) Non-transparent materials are used in place of the required type of glazing materials;
- (4) The window adjacent to the driver cannot be lowered to the down position;
- (5) Decals or stickers are displayed on the glazing material in areas not permitted by law, ordinances, or rules;
- (6) There are cracks, discolorations, chips, or scratches in windshields;
- (7) There are cracks or discoloration to the windows to the immediate left or right of the driver, or to the rear window that interfere with driving visibility;

Any window is broken and has sharp, exposed edges;

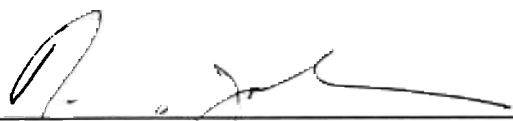
Sun screening

- (A) The sun screening device applied to the glazing material does not comply with the minimum light transmittance requirements under section 291-21.5, HRS.
- (B) All official inspection stations shall possess and use a window light transmittance meter to inspect the sun screening device affixed to the vehicle's glazing material for compliance with the minimum light transmittance requirement under section 291-21.5, HRS. The fee for this test shall be as set forth in section 19-133.2-22(g)(5).
- (C) No inspector shall use a window light transmittance meter to certify light transmittance unless the meter has been certified for performance and accuracy by the manufacturer to accurately measure light transmittance with a margin of error that is no greater than plus or minus six per cent. Each official inspection station is responsible for ensuring that all window light transmittance meters used by its inspectors accurately measure light transmittance with a margin of error that is no greater than plus or minus six percent.
- (D) Any official inspection station and/or person found to violate the requirements of subparagraphs (B) or (C) shall be fined not less than \$50 nor more than \$250 for each separate offense. For two or more violations, the State may revoke or suspend the violator's designation as an official inspection station and/or official inspector. [Eff 7/31/89; am MAR 31 1994] (Auth: HRS §§286-18, 26, 291-21.5) (Imp: HRS §§286-16, 26, 291-21.5)

DEPARTMENT OF TRANSPORTATION

Amendments to Chapter 19-133.2, Hawaii Administrative Rules, on the Summary Page dated December 27, 1993, were adopted on December 27, 1993, following public hearing held on November 30, 1993, December 6, 9, 13, and 16, 1993, after public notice was given in the Honolulu Advertiser on October 24, 1993, and in the Maui News, The Garden Island News, and the Hawaii Tribune-Herald on October 22, 1993 and the Molokai News on October 27, 1993.

These amendments to chapter 19-133.2, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

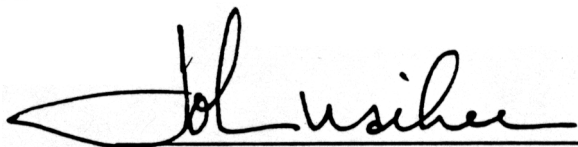


REX D. JOHNSON
Director
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APPROVED AS TO FORM:



Deputy Attorney General



JOHN WAIHEE
Governor
State of Hawaii

Dated: MAR 8 1994

MAR 21 1994

Filed

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LIQUIDATION
OFFICE

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